Jefferson County JDAI System Assessment Summary

COLLABORATION AND LEADERSHIP

Collaboration is one of the keys to a successful system reform initiative. Bringing together stakeholders from multiple juvenile justice agencies and the community is a core governance strategy used by JDAI sites to build efficient and responsive juvenile justice systems. Without strong authority and leadership to insure interagency coordination, comprehensive systemic change for system reform can become a daunting challenge.

Recommendations:

1. Enhance JDAI collaboration by officially appointing the membership of the DMC Committee as the new Jefferson County JDAI/DMC Steering Committee.
2. Review the membership of the JDAI Steering Committee and ensure inclusion of all key leaders representing key juvenile justice entities, as well as inclusion of key community leaders, parent and youth representatives who have experience in the county juvenile justice system.
3. Sign a Memorandum of Agreement among key leaders outlining roles and responsibilities for membership on the JDAI collaborative. Examples of Memoranda of Agreement are available on the JDAI help desk (see below.)
4. Consider including youth that have previously been in the system as well as residents from those communities in the County where referrals to the system are the highest into this deliberative body. The inclusion of representatives from the community will prove to be an invaluable resource, especially in addressing issues of race, gender and ethnic disparities.
5. Gain consensus on the use of secure detention. The need to reach consensus on the purposes of detention (i.e. for reasons of public safety and to protect against failures-to-appear in court) is paramount to successful reform implementation. Further, the Committee should, in exploring the purposes of detention, carefully examine the distinction between "risk" and "needs" with respect to the purpose of pre-adjudication detention.
6. To facilitate the purposes of detention conversation, the County will conduct a detention utilization study to examine past utilization practices, and consider revisions to the detention management resolution. Examples of these studies can be found on the JDAI Help Desk.
7. JDAI Committee members should immerse themselves in the JDAI literature (i.e. the Pathways, *The Dangers of Detention* and other monographs on system reform.) All of this information may be found on the Help Desk (www.jdaihelpdesk.org).

USING DATA

JDAI is a data driven initiative. Aggregate data, drawn from all sources in the system, is reviewed to paint an accurate picture as to how the juvenile justice system is operating. From this viewpoint policies and practices can be implemented that protect public safety while reducing reliance on secure detention, and creating better outcomes for youth.

Recommendations:

1. Reconvene the data sub-committee with appropriate representation from all key stakeholder groups. The major role of the data sub-committee is to ensure accurate and reliable aggregate data, obtained from numerous sources, are used to inform the system improvement process: diagnosis, intervention, and outcome tracking.
2. Develop the capacity to analyze and use data as part of the system improvement process either by connecting an individual or entity familiar with data collection, analysis and presentation or by identifying individuals currently involved in the work that can support this process.
3. Consider working with the Annie E. Casey Foundation and Metis Associates in adopting the Quarterly Reporting System.
4. A critical step in understanding and evaluating the purposes of detention is to conduct a Detention Utilization Study (DUS). The DUS will assist in the furtherance of the understanding regarding how the County has used detention over the past few years. Examples of the DUS can also be found on the Help Desk*.*
5. Review *Pathways to Detention Reform, Number 7: By the Numbers- The Role of Data and Information in Detention Reform.*

OBJECTIVE ADMISSIONS POLICIES AND PRACTICES

Objective admission criteria are a critical part of ensuring only those youth that represent a threat to public safety or would fail to appear in court are placed in detention. It is also a fundamental part of the foundation in building a system that is race, gender and ethnically neutral.

Recommendations:

1. Complete the Detention Utilization Study to more clearly understand the use of secure detention in Jefferson County.
2. Consider creating a set of diversion criteria for use at the earliest possible decision making point, as well as a set of clear policy actions to respond to diversion non-compliance.
3. Upon gaining consensus on the purpose of secure detention, and in consultation with state key leaders, revisit the use of a detention risk assessment instrument for initial detention decision making.
4. Regularly share data to better understand failure to appear in Jefferson County. Based on the data, consider strategies to reduce failure to appear, as necessary.
5. Consider strategies for on-going training for users and for key leaders on the use of the DRAI. Craft quality assurance procedures to ensure on-going data validity and reliability with regard to the use of the tool.
6. Continue to pursue the possibility of using YMCA SafePlace Services for juveniles charged with Assault 4 misdemeanors.
7. Develop clear criteria and a pathway to access detention alternative programming at the initial detention decision.
8. Review the *Pathways to Juvenile Detention Reform, Number 3: Controlling the Front Gates: Effective Admissions Policies and Practices.*
9. Review *Juvenile Detention Risk Assessment, A Practice Guide to Juvenile Detention Reform*, available at www.jdaihelpdesk.org.

ALTERNATIVES TO DETENTION

The primary purpose of detention alternative programming is to provide alternative forms of supervision to moderate risk youth who would otherwise be detained. Alternative to detention (ATD) programs must ensure that youth appear in court at required hearings and remain arrest free during the pendency of the case. Pre-adjudication detention alternatives are not intended as "treatment" for youth who are detention eligible. Detention alternatives should be monitored using objective data to track and analyze (1) the numbers and types of youth placed into the alternative programs and their length of stay in the detention alternative, (2) whether the program is displacing youth from the secure facility, and (3) how well the juveniles perform while in the alternative (i.e., attend their court hearings while remaining arrest free until disposition of the case.)

Recommendations:

1. Utilize information about the current ATDs in the Detention Utilization Study to create a more detailed profile of detention and detention alternative populations. Pay close attention to the use of valid court orders in this population. These profiles should include, at a minimum, race, gender, ethnicity, age and offense/reason for referral.
2. Use the results of the Detention Utilization Study to garner consensus about the purpose of detention alternative programs in Jefferson County.
3. Define target population(s) for each of the current ATD. Target populations should be defined by detention utilization data and an objective screening instrument. Care should be taken to not widen the net; this resource is limited to youth who would otherwise be detained.
4. Establish clear criteria for admissions to alternative to detention programs.
5. Establish a policy and practice of collecting ATD utilization data. Utilize the data to assess current effectiveness and efficiency of existing ATD programs, e.g., the numbers and types of youth placed into the alternative programs and their length of stay in the detention alternative, whether the program is displacing youth from the secure facility, and how well the juveniles perform while in the alternative-attend their hearings while remaining arrest free.
6. Define the term successful completion of a detention alternative data and share data with the collaborative on successful completions at regular intervals.
7. Consider the success rate in the electronic monitoring program and strategize to increase this rate with additional programming.
8. Establish a policy that youth on ATDs are handled within the same case processing time frame as youth in detention. When cases languish in alternative programs unnecessarily, fewer youth can be placed in them because the program slots do not turn over as quickly. This means detention populations will be higher simply because non-secure options are not available. Excessive time in ATD programs also means that program failure rates will be higher, which translates into less confidence in the programs and, ultimately, less utilization.
9. As informed by the assessment of current ATDs, determine the need to develop a more robust continuum of ATDs, working together to develop a funding mechanism for ATD development and expansion. Examples of site ATD continuums can be accessed at www.jdaihelpdesk.org.
10. Review *Pathways to Juvenile Detention Reform, Number 4: Consider the Alternatives-Planning and Implementing Detention Alternatives.*

CASE PROCESSING

Efficient case processing ensures that youth who are in secure detention are held as briefly as possible. Reducing unnecessary delays in case processing allows the court to maximize the use of alternatives, increases the likelihood that youth will appear for their court dates, reduces re-arrest rates during the pendency of the case, and enables youth to more effectively see the link between delinquent behavior and consequences.

Recommendations:

1. Establish a Case Processing Workgroup. Members should include, at a minimum, the court administrator, a juvenile public defender, Judge/Magistrate, the supervising juvenile prosecutor, and probation. As background, encourage workgroup members to review *Pathways to Detention Reform, Number 5: Reducing Unnecessary Delay-Innovations in Case Processing*, available on the JDAI Help Desk.
2. Create a map of the system that documents the average, minimum, and maximum length of time between each decision point. Examine the contributing factors to case processing delay, and with regard to access to counsel. Data on time frames should be disaggregated by race, gender, ethnicity, and custodial status (i.e., detained and not detained).
3. Consider strategies to more fully connect the work of the Department of Juvenile Justice to local decision-making, and in regard to internal DJJ probation and commitment policies and procedures. Additionally, consider aggregate data on caseloads, placements, successful completion and outcomes of unsuccessful completion by race, ethnicity, gender, geography and offense.
4. Establish an on-going process for collecting data on out-of-home and community based disposition options including the characteristics of the youth placed (minimally by race/ethnicity, gender, geography and offense), and program outcomes.
5. Establish routine detention reviews amongst stakeholders who have the authority to move cases and eliminate delays. Properly structured and staffed, detention reviews lead to expedited release and also establish a culture in which every bed day counts.
6. Ensure that standard case processing timelines apply consistently across all juvenile courts.

SPECIAL DETENTION CASES

Special detention cases include youth who are detained for violations of probation (VOP), for warrants or writs, and youth who are awaiting placement. Youth detained for technical violations of probation and warrants are often low risk youth who have broken the rules and frustrated adults. Effective population management involves developing policies, changing practices, and implementing programs designed to safely reduce the presence of these cases in secure detention facilities.

Recommendations:

1. In the discussion by the collaborative on the purposes of detention, attention should be paid to public safety risk factors and their relationship to probation violations.

2. Ensure that the detention utilization study includes a section on special detention cases which include VOPs, warrants and pending placement. All utilization data should be disaggregated by race, ethnicity, gender, offense and geography.
3. As informed by the detention utilization study, develop strategies to reduce the use of detention for low-risk probation violators and warrant cases; and, strategies to expedite pending placement cases.
4. Establish an on-going process for collecting and sharing data on the use of secure detention post-disposition.
5. Collect data on the use of the probation response grid and use the data to minimize variation in responses to non-compliance for similarly situated youth.
6. Add categories to the detention data collection system for post-disposition use of secure detention and for conditional release from probation.
7. Dig deeper into the use of Commissioner's warrants to better understand the increase.
8. Review *Pathways to Detention Reform, Number 9: Special Detention Cases- Strategies for Handling Difficult Populations.* Additional information on best practices and innovations to reduce the use of detention for these populations can be accessed through the JDAI Help Desk.

CONDITIONS OF CONFINEMENT

The JDAI emphasis on decreasing the unnecessary use of detention does not eliminate the existence of, or use of, secure detention for the certain youth. There are those youth whom represent a risk to public safety, or who would fail to appear in court for further proceedings if released, that would be strong candidates for pre-adjudicative detention. Acknowledging that we will have youth in our secure facilities, it is incumbent on our system to provide a safe environment for those youth and the staff who supervise them.

Recommendations:

1. Establish a team to participate in the JDAI sponsored facilities self inspection training. The composition of the team should be established as suggested in the *Detention Facility Self-assessment: A Practice Guide to Juvenile Detention Reform*, accessible at www.jdaihelpdesk.com.
2. Post-training, conduct the facilities self-inspection and develop an action plan as informed by the inspection.

REDUCING RACIAL AND ETHNIC DISPARITIES

Reducing racial and ethnic disparities in the juvenile justice system is a core strategy of JDAI that places a focus on all of the reform work, requiring current and future policies and practices to be viewed through an ethnic and racial lens to determine whether they create a disparate impact on youth of color.

Recommendations:

1. Provide all data disaggregated by race, ethnicity, gender, geography and offense (REGGO). This will help the collaborative group to identify system areas that impact youth of color more than White youth.
2. Ensure the inclusion of representatives from communities of color in the collaborative process. This will add value to future disparities discussions and systemic approaches to reduce inequities.
3. Map strategic decision points in the system to ascertain where race, ethnic and gender disparities exist.
4. Review the *Pathways Series 8, Reducing Racial Disparities in Juvenile Detention*.
5. Read *Adoration of the Question: Reflections on the Failure to Reduce Racial & Ethnic Disparities in the Juvenile Justice System* (2008) and, *The Keeper and the Kept: Local Obstacles to Disparities Reduction in Juvenile Justice Systems and a Path to Change* (2009), the W. Haywood Burns Institute. Both are available at www.burnsinstitute.org or www.jdaihelpdesk.org.